

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSEPH CLIFFORD MALCOMB,)	
)	Civil Action No. 11 - 1087
Plaintiff,)	
)	District Judge Arthur J. Schwab
v.)	
)	
CRAIG MCKEAN, Pennsylvania State Police;)	
and JOSHUA THOMAS, Pennsylvania State)	
Police,)	
)	
Defendants.)	

MEMORANDUM ORDER RE: PRO SE PLAINTIFF’S OBJECTIONS (DOC. NO. 47)

This case is a *pro se* prisoner civil rights action. In late August, 2014, United States Magistrate Judge Cynthia Reed Eddy issued a Report and Recommendation, in which Judge Eddy recommended that Defendants’ Motion for Summary Judgment be granted and Plaintiff’s sole remaining count, malicious prosecution, be dismissed with prejudice. Doc. No. 44. Plaintiff filed timely objections to the Report and Recommendation. Doc. No. 45. On September 12, 2014, after consideration of the pending Motion for Summary Judgment, the Report and Recommendation, and Judge Eddy’s Report and Recommendation, the Court adopted the Report and Recommendation and marked this case closed. Doc. No. 46.

Presently before this Court are Plaintiff’s “objections” to the Court’s Memorandum Order closing the case. Doc. No. 47 (dated September 17, 2014). Plaintiff contends that the Court has “ignored” the facts as pled, “overlooked” his request for an extension of time to respond to the Motion for Summary Judgment in May, 2014, and generally complains that he has been prejudiced by the Court’s rulings. *Id.* Plaintiff moves this Court to review its prior Orders. *Id.* A proper motion for reconsideration must rely on one of three grounds: (1) intervening change in

controlling law; (2) availability of new evidence that was not available when the Court entered judgment; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice. *Lazaridis v. Wehmer*, 591 F.3d 666, 669 (3d Cir. 2010) (quoting *Max's Seafood Cafe v. Quinteros*, 176 F.3d 669, 678 (3d Cir. 1999)). Plaintiff has not set forth any grounds to disturb this Court's rulings and, therefore, to the extent that his objections may be seen to be a motion for reconsideration, said motion is **DENIED**.

SO ORDERED, this 23rd day of September, 2014,

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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